

SECTION 5. This Act takes effect September 1, 2015.

Passed by the House on April 16, 2015: Yeas 146, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1217 on May 26, 2015: Yeas 146, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

**DESIGNATION OF A PORTION OF U.S. HIGHWAY 290 IN
HAYS AND TRAVIS COUNTIES AS THE LIEUTENANT CLAY
CRABB MEMORIAL HIGHWAY**

CHAPTER 714

H.B. No. 1237

AN ACT

relating to the designation of a portion of U.S. Highway 290 in Hays and Travis Counties as the Lieutenant Clay Crabb Memorial Highway.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 225, Transportation Code, is amended by adding Section 225.102 to read as follows:

Sec. 225.102. LIEUTENANT CLAY CRABB MEMORIAL HIGHWAY. (a) The portion of U.S. Highway 290 between its intersection with Circle Drive in Travis County and its intersection with Hays Country Acres Road in Hays County is designated as the Lieutenant Clay Crabb Memorial Highway. The designation is in addition to any other designation.

(b) Subject to Section 225.021(c), the department shall:

(1) design and construct markers indicating the designation as the Lieutenant Clay Crabb Memorial Highway and any other appropriate information; and

(2) erect a marker at each end of the highway and at appropriate intermediate sites along the highway.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on May 15, 2015: Yeas 139, Nays 0, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

**UNIFORM WEIGHING PROCEDURES REQUIREMENTS FOR
MOTOR VEHICLE WEIGHT ENFORCEMENT OFFICERS**

CHAPTER 715

H.B. No. 1252

AN ACT

relating to uniform weighing procedures requirements for motor vehicle weight enforcement officers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 621.402, Transportation Code, is amended by adding Subsec-

tion (e) to read as follows:

(e) The Department of Public Safety:

(1) shall establish by rule uniform weighing procedures for weight enforcement of officers to ensure an accurate weight is obtained for a motor vehicle; and

(2) may revoke or rescind the authority of:

(A) a weight enforcement officer who fails to comply with those rules; or

(B) weight enforcement officers of a municipal police department, sheriff's department, or constable's office that fails to comply with those rules.

SECTION 2. Section 621.508, Transportation Code, is amended to read as follows:

Sec. 621.508. **AFFIRMATIVE DEFENSE FOR OPERATING VEHICLE OVER MAXIMUM ALLOWABLE [AXLE] WEIGHT.** *(a) It is an affirmative defense to prosecution of, or an action under Subchapter F for, the offense of operating a vehicle with a single axle weight or tandem axle weight heavier than the axle weight authorized by law that at the time of the offense the vehicle:*

(1) had a single axle weight or tandem axle weight that was not heavier than the axle weight authorized by law plus 12 percent;

(2) was loaded with timber, pulp wood, wood chips, or cotton, livestock, or other agricultural products that are:

(A) in their natural state; and

(B) being transported from the place of production to the place of first marketing or first processing; and

(3) was not being operated on a portion of the national system of interstate and defense highways.

(b) It is an affirmative defense to prosecution of, or an action under Subchapter F for, the offense of operating a vehicle with a single axle weight, tandem axle weight, or gross weight heavier than the weight authorized by law that at the time of the offense the weight enforcement officer failed to follow the weighing procedures established under Section 621.402(e) when determining the weight of the vehicle.

SECTION 3. *(a) Not later than January 1, 2016, the Department of Public Safety shall adopt rules necessary to implement Section 621.402(e), Transportation Code, as added by this Act.*

(b) Section 621.508(b), Transportation Code, as added by this Act, applies only to an offense committed on or after the effective date of a rule adopted by the Department of Public Safety under this section. For purposes of this section, an offense was committed before the effective date of a rule adopted by the Department of Public Safety under this section if any element of the offense occurred before that date.

(c) An offense committed before the effective date of a rule adopted by the Department of Public Safety under this section is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.

Passed by the House on April 13, 2015: Yeas 144, Nays 0, 1 present, not voting;
passed by the Senate on May 25, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.